

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JERRY LARAQUE,

Plaintiff,

-against-

THE FOUNDRY AT HUNTERS POINT CONDOMINIUM;  
NEW BEDFORD MANAGEMENT INC.; JOHN OLIVIERI, in  
his official and individual capacities; and ROBERT  
SWIDERSKI in his official and individual capacities;

Defendants.  
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: Case No.: 12 CV 5571  
: (DLI) (MDG)

: **NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the affidavit of Robert Swiderski, sworn to on January 22, 2013, the exhibits annexed thereto, the accompanying memorandum of law and all the pleadings and proceedings herein, defendants will move this Court before United States District Judge Dora L. Irizarry, at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York, on a date and time to be set by the Court, for an order, pursuant to Fed. R. Civ. P. 12(b)(6), partially dismissing the complaint and granting further relief as this Court deems just, proper and equitable.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Civil Rule 6.1(b), opposing papers shall be served within fourteen (14) days of the service of this motion.

Dated: New York, New York  
January 22, 2013

**CANTOR, EPSTEIN & MAZZOLA, LLP**  
*Attorneys for the Defendants*

By: /s/ Bryan J. Mazzola  
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